UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,909	11/13/2003	Andrew James Moreton	060707-1570	7315

24504   7590   09/29/2008
THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP
600 GALLERIA PARKWAY, S.E.
STE 1500
ATLANTA, GA 30339-5994

EXAMINER
KEEHN, RICHARD G

ART UNIT	PAPER NUMBER
2152	

MAIL DATE	DELIVERY MODE
09/29/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>14 May 2008</u>.
2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>41-78</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>41-78</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on <u>13 November 2003</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
        1. ☐ Certified copies of the priority documents have been received.
        2. ☐ Certified copies of the priority documents have been received in Application No. _____.
        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
           application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claims 41-78 have been examined and are pending.

Claims 1-5, 7-28 and 30-40 have been cancelled by the Applicant.

Claims 41-78 are new.

This Office Action is made FINAL.

Response to Arguments

1.   Applicant's arguments with respect to the 35 USC 102 and 103 rejections of prior Claims 1-5, 7-28 and 30-40, and new Claims 41-78 have been considered but are moot in view of the new ground(s) of rejection.

2.   Examiner acknowledges changes made to the Specification as described on Pages 2-4 of Applicant's arguments.

3.   Applicant's arguments and amendments, see Page 15, filed 5/14/2008, with respect to Claim Objections to numbering have been fully considered and are persuasive. The objection of the claims has been withdrawn.

4.   Applicant's arguments, see Page 15, filed 5/14/2008, with respect to Objections to the Drawings have been fully considered and are persuasive. The objection of the drawings has been withdrawn.

Claim Rejections - 35 USC § 103

5.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6.   Microsoft and Brownell et al. were cited as prior art in the previous office action. The teachings that are applicable are respectfully maintained and incorporated by reference as set forth in the last office action. Note that form PTO-892 has been updated with newly found prior art cited during this examination. Applicant should refer to previously sent form PTO-892 and previously sent copies of prior art for the remainder of relevant prior art incorporated by reference but not listed on the form PTO-892 accompanying this office action.

7.   Claims 41-45, 52-56 and 63-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Non-Patent Literature from Microsoft entitled "USB Remote NDIS Devices and Windows" (Microsoft), and further in view of Non-Patent Literature from Brownell and Machek on USB Host to Host Links (Brownell et al.) and US 2001/0042150 A1 (Moroz et al.).

     As to Claims 41, 52 and 63 Microsoft discloses an invention substantially as claimed, including a method, apparatus and system for coupling a universal serial bus network adapter supporting both a remote network drive interface specification and a non-network drive interface specification, the method performed by a network adapter, the method, comprising:

     receiving a first request from a host, the host coupled to a device (Microsoft, Page 2 recites the REMOTE_NDIS_QUERY_MSG sent by a host to a network adapter to request information);

returning a remote network drive interface specification configuration from the
network adapter (Microsoft, Page 2 recites the REMOTE_NDIS_QUERY_CMPLT
response from the adapter to the host); and

returning a [*sic*] network drive interface specification configuration [*sic*] (Microsoft,
Page 2 recites the REMOTE_NDIS_QUERY_CMPLT response from the adapter to the
host).

Microsoft does not disclose, but Brownell et al. disclose an invention substantially
as claimed, including

providing a plurality of universal serial bus configurations to a universal serial bus
network (Brownell et al. – Pages 6 and 8 recite the use of CDC Ethernet and NDIS
drivers); and

non-remote (Brownell et al. – Pages 6 and 8 recite the use of CDC Ethernet and
NDIS drivers).

Microsoft does not disclose, but Moroz et al. disclose an invention substantially
as claimed, including

receiving a second request from the host, in response to receiving an indication
of multiple support configurations (Moroz et al. – Page 4, ¶ [0045] recites the system
requesting configuration information from a first I/O port, and if it detects more than one
I/O port exists, will continue with requests until all configuration information is retrieved);
and

where the host is configured to parse the received configuration to determine the
configuration supported by the device and where the host is configured to select a

configuration that matches a client driver (Moroz et al. – Figure 4 discloses the parsing

of the received configuration in item 409 and selecting configuration in item 427).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine providing two universal serial bus configurations to a

universal serial bus network, namely NDIS and CDC-Ethernet taught by Brownell, with

the method of receiving by a network adapter a first request from a host, returning a

remote network drive interface specification configuration from the network adapter, and

returning a non-remote network drive interface specification configuration from the

network adapter taught by Microsoft.

One of ordinary skill in the art at the time the invention was made would have

been motivated to, and did, provide to the market a flexible usb network adapter to

accommodate IBM PC and non-IBM PC remote networking platforms (e.g. Apple or

PDA) (Brownell – Pages 6 and 8 demonstrate obviousness and motivation by actually

combining NDIS and CDC-Ethernet in the same driver package).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine receiving a second request from the host, in response

to receiving an indication of multiple support configurations and where the host is

configured to parse the received configuration to determine the configuration supported

by the device and where the host is configured to select a configuration that matches a

client driver taught by Moroz et al., with providing to the market a flexible usb network

adapter to accommodate IBM PC and non-IBM PC remote networking platforms taught

by the combination of Microsoft and Brownell et al.

One of ordinary skill in the art at the time the invention was made would have been motivated to continue to try all known configurations until the list of known configurations is exhausted in order to provide universal docking to the user (Moroz et al. - ¶¶ [0006] and [0045]).

As to Claim 42, the combination of Microsoft, Brownell et al. and Moroz et al. discloses an invention substantially as claimed, including the method of claim 41,

wherein the client driver is a remote network drive interface specification (RNDIS) (Microsoft – Page 2 recites a driver capable of RNDIS).

As to Claim 43, the combination of Microsoft, Brownell et al. and Moroz et al. discloses an invention substantially as claimed, including the method of claim 41,

wherein the client driver is a communications data class Ethernet (CDC-Ethernet) (Brownell et al. – Page 6 recites the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 44, the combination of Microsoft, Brownell et al. and Moroz et al. discloses an invention substantially as claimed, including the method of claim 41,

wherein the network adapter determines whether any sub-system that corresponds to any configuration is currently active (Moroz et al. – Figure 4 discloses the comparison of inserted card configurations to known configurations).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 45, the combination of Microsoft, Brownell et al. and Moroz et al. discloses an invention substantially as claimed, including the method of claim 41,

wherein the network adapter determines whether the active configuration matches the currently active sub-system, the method further comprising issuing a command to disable the sub-system when there is no match, and issuing a command to activate a new sub-system corresponding to the new configuration selected by the host (Moroz et al. – Figure 4 discloses determining whether the active configuration matches a currently active sub-system in item 405, disabling if there is no match in item 407, and activating if there is a match in item 427).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 53, the combination of Microsoft, Brownell et al. and Moroz et al. discloses an invention substantially as claimed, including the apparatus of claim 52,

wherein the client driver is a remote network drive interface specification (RNDIS) (Microsoft – Page 2 recites a driver capable of RNDIS).

As to Claim 54, the combination of Microsoft, Brownell et al. and Moroz et al. discloses an invention substantially as claimed, including the apparatus of claim 52,

wherein the client driver is a communications data class Ethernet (CDC-Ethernet) (Brownell et al. – Page 6 recites the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 55, the combination of Microsoft, Brownell et al. and Moroz et al. discloses an invention substantially as claimed, including the apparatus of claim 52,

wherein the network adapter determines whether any sub-system corresponds to any configuration is active (Moroz et al. – Figure 4 discloses the comparison of inserted card configurations to known configurations).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 56, the combination of Microsoft, Brownell et al. and Moroz et al. discloses an invention substantially as claimed, including the apparatus of claim 52,

wherein the network adapter determines whether the active configuration matches the currently active sub-system, issues a command to disable the sub-system when there is no match, and issues a command to activate a new sub-system corresponding to the new configuration selected by the host (Moroz et al. – Figure 4 discloses determining whether the active configuration matches a currently active sub-system in item 405, disabling if there is no match in item 407, and activating if there is a match in item 427).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 64, the combination of Microsoft, Brownell et al. and Moroz et al. discloses an invention substantially as claimed, including the system of claim 63,

wherein the client driver is a remote network drive interface specification (RNDIS) (Microsoft – Page 2 recites a driver capable of RNDIS).

As to Claim 65, the combination of Microsoft, Brownell et al. and Moroz et al. discloses an invention substantially as claimed, including the system of claim 63,

wherein the client driver is a communications data class Ethernet (CDC-Ethernet) (Brownell et al. – Page 6 recites the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 66, the combination of Microsoft, Brownell et al. and Moroz et al. discloses an invention substantially as claimed, including the system of claim 63,

wherein the network adapter determines whether any sub-system that corresponds to any configuration is active (Moroz et al. – Figure 4 discloses the comparison of inserted card configurations to known configurations).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 67, the combination of Microsoft, Brownell et al. and Moroz et al. discloses an invention substantially as claimed, including the system of claim 63,

wherein the network adapter determines whether the active configuration matches the currently active sub-system, the system further comprising a first issuing component configured to issue a command to disable the sub-system when there is no match, and a second issuing component configured to issue a command to activate a

new sub-system corresponding to the new configuration selected by the host (Moroz et

al. – Figure 4 discloses determining whether the active configuration matches a

currently active sub-system in item 405, disabling if there is no match in item 407, and

activating if there is a match in item 427).

The motivation and obviousness arguments are the same as in Claim 41.

8.   Claims 46-51, 57- 62 and 68-78 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Non-Patent Literature from Microsoft entitled "USB Remote NDIS

Devices and Windows" (Microsoft), and further in view of Non-Patent Literature from

Brownell and Machek on USB Host to Host Links (Brownell et al.).

As to Claims 46 and 57, Microsoft discloses an invention substantially as

claimed, including a method and apparatus, at a host, for coupling universal serial bus

devices network adapter supporting both remote network drive interface specification

and non-network drive interface specification, comprising the steps of:

detecting a network device, the network device operating on a first configuration

(Microsoft – Page 2 recites the REMOTE_NDIS_KEEPALIVE_MSG which is used to

detect the network adapter);

issuing a universal serial bus reset to the network device (Microsoft – Page 2

recites the REMOTE_NDIS_RESET_MSG which is used to reset the network adapter);

sending the reset to the network device for resetting the state of the network device (Microsoft – Page 2 recites the REMOTE_NDIS_RESET_MSG which is used to reset the network adapter);

issuing a command enabling the network device to communicate on the universal serial bus [*sic*] (Microsoft – Page 2 recites the REMOTE_NDIS_INITIALIZE_MSG used to enable the adapter);

issuing a command enabling a retrieval of device descriptors from the network device (Microsoft – Page 2 recites the REMOTE_NDIS_QUERY_MSG used to query the adapter);

returning a device descriptor indicating a function of the network device (Microsoft – Page 2 recites the REMOTE_NDIS_QUERY_CMPLT used to respond to the query); and

issuing configuration commands, whereby, the network device is configured to return a list of descriptors (Microsoft – Page 2 recites the REMOTE_NDIS_INITIALIZE_CMPLT used to send a list of adapter buffering and alignment constraints from the network adapter to the host).

Microsoft does not explicitly disclose, but Brownell et al. disclose an invention substantially as claimed, including according to a second configuration (Brownell et al. – Pages 6 and 8 recite the use of CDC Ethernet and NDIS drivers).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 47, the combination of Microsoft and Brownell et al. discloses an invention substantially as claimed, including the method of claim 46,

wherein the resetting of the state of the network device involves disabling one of a remote network drive interface specification (RNDIS) and a communications data class Ethernet (CDC-Ethernet) (Microsoft – Page 2 recites REMOTE_NDIS_RESET_MSG command which resets the configuration RNDIS; Brownell et al. – Page 6 recites CDC Ethernet).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 48, the combination of Microsoft and Brownell et al. discloses an invention substantially as claimed, including the method of claim 46,

wherein the list of descriptors for the configuration commands is for a remote network drive interface specification (RNDIS) or a communications data class Ethernet (CDC-Ethernet) (Microsoft – Page 2 recites REMOTE_NDIS_QUERY_MSG command which is used to query the RNDIS network adapter; Brownell et al. – Page 6 recites CDC Ethernet).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 49, the combination of Microsoft and Brownell et al. discloses an invention substantially as claimed, including the method of claim 46,

wherein the host discards the configuration for a remote network drive interface specification (RNDIS) (Microsoft – Page 2 recites the REMOTE_NDIS_HALT_MSG which is used to discard RNDIS).

As to Claim 50, the combination of Microsoft and Brownell et al. discloses an invention substantially as claimed, including the method of claim 46,

wherein the host accepts the configuration for the communications data class Ethernet (CDC-Ethernet) (Microsoft – Page 2 recites the REMOTE_NDIS_INITIALIZE_CMPLT used to send a list of adapter buffering and alignment constraints from the network adapter to the host; Brownell et al. – Page 6 recites the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 51, the combination of Microsoft and Brownell et al. discloses an invention substantially as claimed, including the method, of claim 46,

wherein the host issues a configuration to the device to use the communications data class Ethernet (CDC-Ethernet) configuration (Microsoft – Page 2 recites the REMOTE_NDIS_INITIALIZE_MSG used to enable the adapter; Brownell et al. – Page 6 recites the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 58, the combination of Microsoft and Brownell et al. discloses an invention substantially as claimed, including the apparatus of claim 57,

wherein the resetting of the state of the network device involves disabling one of a remote network drive interface specification (RNDIS) and a communications data class Ethernet (CDC-Ethernet) (Microsoft – Page 2 recites REMOTE_NDIS_RESET_MSG command which resets the configuration RNDIS; Brownell et al. – Page 6 recites CDC Ethernet).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 59, the combination of Microsoft and Brownell et al. discloses an invention substantially as claimed, including the apparatus of claim 57,

wherein the list of descriptors for the configuration commands are for a remote network drive interface specification (RNDIS) or a communications device class Ethernet (CDC-Ethernet) (Microsoft – Page 2 recites REMOTE_NDIS_QUERY_MSG command which is used to query the RNDIS network adapter; Brownell et al. – Page 6 recites CDC Ethernet).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 60, the combination of Microsoft and Brownell et al. discloses an invention substantially as claimed, including the apparatus of claim 57,

wherein the host discards the configuration for a remote network drive interface specification (RNDIS) (Microsoft – Page 2 recites the REMOTE_NDIS_HALT_MSG which is used to discard RNDIS).

As to Claim 61, the combination of Microsoft and Brownell et al. discloses an invention substantially as claimed, including the apparatus of claim 57,

wherein host accepts the configuration for the communications data class Ethernet (CDC-Ethernet) (Microsoft – Page 2 recites the REMOTE_NDIS_INITIALIZE_CMPLT used to send a list of adapter buffering and alignment constraints from the network adapter to the host; Brownell et al. – Page 6 recites the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 62, the combination of Microsoft and Brownell et al. discloses an invention substantially as claimed, including the apparatus of claim 57,

wherein the host issues a configuration to the device to use for the communications data class Ethernet (CDC-Ethernet) (Microsoft – Page 2 recites the REMOTE_NDIS_INITIALIZE_MSG used to enable the adapter; Brownell et al. – Page 6 recites the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 68 and 74, Microsoft discloses an invention substantially as claimed, including a system and computer-readable media containing a computer-executable program for attaching a universal serial bus network adapter supporting both remote network drive interface specification and non-network drive interface specification, comprising:

a universal serial bus port configured to receive a network device according to a first configuration (Microsoft – Page 1, under the heading "Remote NDIS" recites a Plug and Play USB adapter);

a detecting component configured to detect the network device coupled to the universal serial bus port (Microsoft – Page 2 recites the REMOTE_NDIS_KEEPALIVE_MSG which is used to detect the network adapter);

a first issuing component configured to issue a universal serial bus reset to the network device to reset the state of the network device (Microsoft – Page 2 recites the REMOTE_NDIS_RESET_MSG which is used to reset the network adapter);

a second issuing component configured to issue a command to enable the network device to communicate on the universal serial bus [*sic*] (Microsoft – Page 2 recites the REMOTE_NDIS_INITIALIZE_MSG used to enable the adapter);

a third issuing component configured to issue a command to retrieve device descriptors from the network device (Microsoft – Page 2 recites the REMOTE_NDIS_QUERY_MSG used to query the adapter);

a receiving component configured to receive a device descriptor listing indicating

its function from the network device (Microsoft – Page 2 recites the

REMOTE_NDIS_QUERY_CMPLT used to respond to the query); and

a fourth issuing component configured to issue configuration commands,

whereby, the network device returns a list of descriptors (Microsoft – Page 2 recites the

REMOTE_NDIS_INITIALIZE_CMPLT used to send a list of adapter buffering and

alignment constraints from the network adapter to the host).

Microsoft does not explicitly disclose, but Brownell et al. disclose an invention

substantially as claimed, including according to a second configuration (Brownell et al. –

Pages 6 and 8 recite the use of CDC Ethernet and NDIS drivers).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 69, the combination of Microsoft and Brownell et al. discloses an

invention substantially as claimed, including the system of claim 68, wherein resetting of

the state of the network device comprises disabling one of a remote network drive

interface specification (RNDIS) and a communications data class Ethernet (CDC-

Ethernet) (Microsoft – Page 2 recites REMOTE_NDIS_RESET_MSG command which

resets the configuration RNDIS; Brownell et al. – Page 6 recites CDC Ethernet).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 70, the combination of Microsoft and Brownell et al. discloses an

invention substantially as claimed, including the system of claim 68,

wherein the device descriptor listing for the configuration commands is for a remote network drive interface specification (RNDIS) or a communications data class Ethernet (CDC-Ethernet) (Microsoft – Page 2 recites REMOTE_NDIS_QUERY_MSG command which is used to query the RNDIS network adapter; Brownell et al. – Page 6 recites CDC Ethernet).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 71, the combination of Microsoft and Brownell et al. discloses an invention substantially as claimed, including the system of claim 68, further comprising

a discarding component configured to discard the configuration for a remote network drive interface specification (RNDIS) (Microsoft – Page 2 recites the REMOTE_NDIS_HALT_MSG which is used to discard RNDIS).

As to Claim 72, the combination of Microsoft and Brownell et al. discloses an invention substantially as claimed, including the system of claim 68,

further comprising an accepting component configured to accept the configuration for the communications data class Ethernet (CDC- Ethernet) (Microsoft – Page 2 recites the REMOTE_NDIS_INITIALIZE_CMPLT used to send a list of adapter buffering and alignment constraints from the network adapter to the host after acceptance of the configuration; Brownell et al. – Page 6 recites the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 73, the combination of Microsoft and Brownell et al. discloses an invention substantially as claimed, including the system of claim 68, further comprising

a fourth issuing component configured to issue a configuration to the device to use the communications data class Ethernet (CDC-Ethernet) configuration (Microsoft – Page 2 recites the REMOTE_NDIS_INITIALIZE_MSG used to enable the adapter; Brownell et al. – Page 6 recites the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 75, the combination of Microsoft and Brownell et al. discloses an invention substantially as claimed, including the computer-readable media of claim 74,

wherein the one or more instructions for resetting of the state of the network device further comprises one or more instructions for disabling one of a remote network drive interface specification (RNDIS) and a communications data class Ethernet (CDC-Ethernet) (Microsoft – Page 2 recites REMOTE_NDIS_RESET_MSG command which resets the configuration RNDIS; Brownell et al. – Page 6 recites CDC Ethernet).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 76, the combination of Microsoft and Brownell et al. discloses an invention substantially as claimed, including the computer-readable media of claim 74, further comprising

one or more instructions for discarding the configuration for a remote network

drive interface specification (RNDIS) (Microsoft – Page 2 recites the

REMOTE_NDIS_HALT_MSG which is used to discard RNDIS).

As to Claim 77, the combination of Microsoft and Brownell et al. discloses an

invention substantially as claimed, including the computer-readable media of claim 74,

further comprising

one or more instructions for accepting the configuration for the communications

data class Ethernet (CDC- Ethernet) (Microsoft – Page 2 recites the

REMOTE_NDIS_INITIALIZE_CMPLT used to send a list of adapter buffering and

alignment constraints from the network adapter to the host; Brownell et al. – Page 6

recites the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 41.

As to Claim 78, the combination of Microsoft and Brownell et al. discloses an

invention substantially as claimed, including the computer-readable media of claim 74,

further comprising

one or more instructions for issuing a configuration code instructing the device to

use the communications data class Ethernet (CDC-Ethernet) configuration (Microsoft –

Page 2 recites the REMOTE_NDIS_INITIALIZE_MSG used to enable the adapter;

Brownell et al. – Page 6 recites the use of CDC Ethernet driver).

The motivation and obviousness arguments are the same as in Claim 41.

Conclusion

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Richard G. Keehn whose telephone number is 571-270-

5007. The examiner can normally be reached on Monday through Thursday, 9:00am -

8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RGK

/Bunjob Jaroenchonwanit/
Supervisory Patent Examiner, Art Unit 2152